

**ZONING COMMITTEE
MINUTES
WEDNESDAY, SEPTEMBER 27, 2006**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, September 27, 2006** in Committee Room #2, at 11: 05 a.m.

The following members were present:

**The Honorable Carla Smith, Chair
The Honorable Mary Norwood, Vice Chair
The Honorable Howard Shook
The Honorable Anne Fauver
The Honorable Natalyn Archibong
The Honorable Joyce Sheperd**

The following member was absent:

The Honorable C. T. Martin

Others present at the meeting were, Charletta Wilson Jacks, Zoning Administrator, Department of Planning and Community Development; City Attorneys Lem Ward, Peter Andrews and Jeffrey Haymore, Law Department; and members of the Public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED BY ADDING 3
PIECES OF LEGISLATION**
- B. APPROVAL OF MINUTES - APPROVED**
- C. ZRB SUMMARY REPORT - (SEE ATTACHED LIST)**
- D. ORDINANCES FOR SECOND READING**

06-O-2046 (1) An Ordinance by Zoning Committee to amend Ordinance U-1093, as adopted by the City Council on July 21, 1980 and approved by the Mayor on July 29, 1980, approving a transfer of ownership for a Special Use Permit for a Day Care Center for property located **2315 Perkerson Road, SW**, and for other purposes.

Councilmember Sheperd made a motion to approve. The vote was unanimous.

FAVORABLE

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D. ORDINANCES FOR SECOND READING (CONT'D)

06-O-1810 (2) An Ordinance by Zoning Committee to rezone from the C-1
Z-06-94 (Community Business) and R-4 (Single-Family Residential)
Districts to the MR-4B (Multi-Family Residential) District,
property located at **1580 Flat Shoals Road, SE**, fronting
approximately 140 feet on the north side of Flat Shoals
Road, beginning approximately 293 feet from the west side of
Maynard Terrace.

Depth: Approximately 615 Feet

Area: Approximately .093 Acre

Land Lots: 146 and 175, 15^h District, Dekalb County,
Georgia

Owner: Diane Lawrence

Applicant: James Debro

NPU-W

Council District 5

**Councilmember Archibong made a motion to file. The
vote was unanimous.**

FILE

E. PAPERS HELD IN COMMITTEE

06-O-0038 (1) An Ordinance by Councilmember Carla Smith to
Z-05-56 amend Various Sections of the Zoning Code of the City of
Atlanta, for the purpose of clarifying and/or defining certain
terms related to Supportive Housing; to provide how
applications for such uses are to be processed; defining the
term Community Center and removing certain redundant
terms related to such use; redefining the conditions under
which dormitories, Sorority Houses and Fraternity Houses
are permitted; deleting rooming houses and boarding houses
as permitted uses in certain districts; and for other
purposes. **(Held 2/1/06 for further review)**

HELD

06-O-0273 (2) An Ordinance by Councilmembers Carla Smith, Ivory Lee
Young, Jr. and Cleta Winslow correcting Ordinance Number
04-O-0179/Z-04-24 which amended Section 16-29.001(16)
"Human Services" including Personal Care Homes,
Rehabilitation Centers and Nursing Homes by clarifying
and/or redefining certain terms; and for other purposes.
(Held 2/1/06 for further review)

HELD

E. PAPERS HELD IN COMMITTEE (CONT'D)

HELD

HELD

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0956 (6)
Z-06-45 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the R4-A (Single-Family Residential) District, property located at **705 Pershing Avenue, SE.**, fronting approximately 201.74 feet on the south side of Pershing Avenue. **(Held 6/28/06 at the request of Councilmember of the District)**

Depth: Varies

Area: Approximately 1.056 Acres

Land Lot: 24, 14th District, Fulton County, Georgia

Owner: Edwin Duke

Applicant: David Stewart

NPU-W

Council District 1

Councilmember Smith made a motion to approve. The vote was unanimous.

FAVORABLE

06-O-0145 (7)
Z-05-134 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **2228 Bicknell Street, SE.**, fronting approximately 257.5 feet on the southeast side of Bicknell Street, beginning 109 feet from the southeast corner of Bagwell Drive. **(Held 8/16/06 at the request of the Councilmember of District 12)**

Depth: Varies

Area: Approximately 3.5 Acres

Land Lot: 70, 14th District, Fulton County, Georgia

Owner: Portfolio Properties Construction Co., LLC.

Applicant: Portfolio Properties Construction Co., LLC.

NPU-Z

Council District 12

HELD

06-O-0944 (8)
Z-06-56 An Ordinance by Councilmember Kwanza Hall **as substituted by Zoning Committee** to amend the Zoning Ordinance of the City of Atlanta and the Maps established in connection with the property located at **695 North Avenue** and to waive the provisions of Section 16-27.002(3) of the Zoning Ordinance of the City of Atlanta, entitled "Amendments," solely for the purposes of this ordinance; and for other purposes. **(Held 8/30/06 pending CDP Amendment Hearing on 9/11/06)**

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-1074 (9)
Z-06-64 An Ordinance by Zoning Committee designating the DuPre Manufacturing Company Mill (a/k/a Excelsior Mill and the Masquerade), located at **695 North Avenue, NE**, Land Lot 18, of the 14th District of Fulton County, Georgia and certain real property on which it is located, to the overlay Zoning Designation of Landmark Building or site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and rezoning from PD-MU (Planned Development-Mixed Use) to PD-MU/LBS (Planned Development-Mixed Use/Landmark Building or Site); to repeal conflicting Laws; and for other purposes. **(Held 8/30/06 pending CDP Amendment Hearing on 9/11/06)**

HELD

06-O-1807 (10)
Z-06-89 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the RL-C (Residential-Limited Commercial) District, property located at **2459 Barge Road, SW**, fronting approximately 75 feet on the west side of Barge Road and approximately 307 feet north of the intersection of Barge Road and Melwood Avenue. **(Held 9/27/06 waiting on CDP Legislation)**

Depth: Varies
Area: Approximately 0.31 Acre
Land Lot: 5, 14th District, Fulton County, Georgia
Owner: SHH Partners, LP
Applicant: PEC Development

NPU-P

Council District 11

HELD

06-O-1809 (11)
Z-06-91 An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **1057 Constitution Road, SE, (a.k.a. addressed as 1058)**, fronting approximately 210 feet on the north side of Constitution Road. **(Held 9/27/06 waiting on CDP Legislation)**

Depth: Approximately 615 Feet
Area: Approximately 2.98 Acres
Land Lot: 90, 14th ff District, Fulton County, Georgia
Owner: CB Partners, LLC.
Applicant: Michael G. Bryant

NPU-Z

Council District 1

HELD

F. ITEMS NOT ON THE AGENDA

FAVORABLE**FAVORABLE**

06-O-1897 (3)
CDP-06-74

An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta's 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate properties located at **1634, 1654 & 1700 Hollywood Road, NW**, from the "Low Density Residential" Land Use Designation to the "Medium Density Residential" Land Use Designation; and for other purposes. **(Public Hearing held 9/11/06) (Favorable by CD/HR Committee 9/26/06)**

NPU-G **Council District 9**

**SUMMARY REPORT
ZONING COMMITTEE
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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
<u>FAVORABLE</u>						
06-O-1488	Z-06-75	3806 Stone Road, SW (P-11)	I-1 to L-W	Approval	Approval	Approval
<u>FAVORABLE AS AMENDED</u>						
06-O-1806	Z-06-88	1634, 1654 and 1700 Hollywood Road, NW (G-9)	R-4 to RG-3-C	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Sheperd made a motion to approve as amended the vote was unanimous.						
06-O-1444	Z-06-73	1687 Monroe Drive, NE (F-6)	RG-2 to RG-3-C	Approval Conditional	Approval	Approval Conditional
Councilmember Sheperd made a motion to approve as amended the vote was unanimous.						
06-O-1796	Z-06-77	1332 Metropolitan Parkway, SW (X-12)	R-4 to MRC-3-C	Approval	Approval	Approval Conditional
Councilmember Sheperd made a motion to approve as amended the vote was unanimous.						
06-O-1071	Z-06-61	524, 526 and 530 East Paces Ferry Road, NE and 3081 Maple Drive, NE (B-7)	RL-C and C-1-C to C-1-C	Approval Conditional	Approval	Approval Conditional
Councilmember Shook made a motion to approve as amended the vote was unanimous.						

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LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
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**FAVORABLE
AS AMENDED (CONT'D)**

06-O-1799	Z-06-80	396 Piedmont Avenue, NE (M-2)	C-5-C to C-5-C for a Change of Conditions	Approval Conditional	Approval Conditional	Approval Conditional
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Councilmember Shook made a motion to approve as amended the vote was unanimous.

**FAVORABLE
ON SUBSTITUTE**

06-O-1318	Z-06-52	Memorial Drive Corridor- Reynoldstown Neighborhood	R-5 (Two-Family Residential), C-1 (Community Business), C-1-C (Community Business-Conditional), C- 2 (Commercial Service), I- 1 (Light Industrial) and I- 2 (Heavy Industrial) Districts to the C-2-C, MR-3 (Multi-Family Residential), MR-3-C (Mixed Residential Commercial-Conditional), I-1-C (Light Industrial- Conditional) and I-2-C (Heavy Industrial- Conditional) Districts	Approval of Substitute	Approval	Approval of Substitute
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Councilmember Shook made a motion to approve as amended the vote was unanimous.

06-O-1808	Z-06-90	3103 and 3113 Lenox Road, NE (B-7)	R-3 to RG-2-C	Approval Conditional	Approval	Approval Conditional
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Councilmember Shook made a motion to approve as amended the vote was unanimous.

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F. ITEMS NOT ON THE AGENDA (CONT'D)

Councilmember Shook made a motion to approve. The vote was unanimous.

FAVORABLE

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:16 a.m.

Respectfully submitted:



Angela H. Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Carla Smith, Chairperson